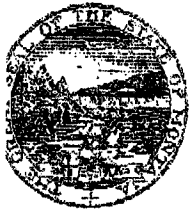


EXHIBIT 1DATE 2/7/07HB 478

OFFICE OF PUBLIC INSTRUCTION

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Linda McCulloch
Superintendent

HB 478

November 30, 2006

Bill Colter, Superintendent
Target Range Public Schools
4095 South Avenue West
Missoula, Montana 59804

Dear Superintendent Colter:

Recently, OPI reviewed the Student Attendance Agreements your district submitted for state-paid tuition. During our review, we noted indications that several of the students were homeless.

20-5-101, MCA states that districts "may not require an out-of-district attendance agreement or tuition for a homeless child." OPI's legal counsel reviewed this issue. Counsel determined this statute prevails over the one providing state-paid tuition for students attending a district as the result of a group home placement.

The Montana Department of Health and Human Services classifies Francovich Children's Home in your district as a "Therapeutic Group Home." Students in this home qualify for state-paid tuition; their approved contracts are enclosed with the District Clerk's copy of this letter. In contrast, Watson's Children's Shelter is a "Shelter Care Facility." Students there are considered homeless. As a result, they unfortunately do not qualify for state-paid tuition.

Target Range staff may now access the MAEFARS system and generate a tuition payment for the approved students. Please contact me at (406) 444-4524 if you have any questions regarding the system or this issue.

Sincerely,

Mike Waterman
Fiscal Officer

Enclosures

cc: Emilie Anderson, Target Range Director of Special Education
Tammy Tulberg, Target Range District Clerk
Cathy Warhank, OPI Chief Legal Counsel
Bob Runkel, OPI Special Education Division Administrator
Denise Ulberg, OPI School Finance Division Administrator
Terry Teichrow, OPI Homeless Children Specialist

"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."